Form nttfclm

211 West Fort Street Detroit, MI 48226

# UNITED STATES BANKRUPTCY COURT

Eastern District of Michigan

Case No.: **09–76874–wsd**Chapter: 7

In Re: (NAME OF DEBTOR(S)) Elson James Harkema aka Jim Harkema 5492 Park Grove Road Ann Arbor, MI 48103

Social Security No.: xxx-xx-8250

Employer's Tax I.D. No.:

# NOTICE OF NEED TO FILE PROOF OF CLAIM DUE TO RECOVERY OF ASSETS

## NOTICE IS GIVEN THAT:

The initial notice in this case instructed creditors that it was not necessary to file a proof of claim. Since that notice was sent, assets have been recovered by the trustee.

Creditors who wish to share in any distribution of funds must file a proof of claim with the clerk of the bankruptcy court at the address above on or before:

# **April 26, 2010**

Creditors who do not file a proof of claim on or before this date will not share in any distribution from the debtor's estate.

The proof of claim form is enclosed with this notice. It may be filed by regular mail. If you wish to receive proof of its receipt by the bankruptcy court, enclose a photocopy of the proof of claim together with a stamped, self-addressed envelope.

There is no fee for filing the proof of claim.

Any creditor who has previously filed a claim in this case must file it again.

Dated: 1/26/10

BY THE COURT

Katherine B. Gullo , Clerk of Court UNITED STATES BANKRUPTCY COURT

09-76874-wsd Doc 23 Filed 01/28/10 Entered 01/29/10 01:17:52 Page 2 of 6

UNITED STATES BANKRUPTCY COURT Eastern District of Michigan			PROOF OF CLAIM	
Name of Debtor: Elson James Harkema		Case Number: 09-76874-wsd		
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.				
Name of Creditor (the person or other entity to whom the debtor owes money or property):		□Check this box to indicate that this claim amends a previously filed claim.		
Name and address v	Name and address where notices should be sent:		Court Claim Number:(If known)	
Telephone number:		Filed on:		
Name and address v	where payment should be sent (if different from above):	Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.		
Telephone number:		☐ Check this box if you are the debtor or trustee in this case.		
	n as of Date Case Filed: \$	5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.		
If all or part of your claim is entitled to priority, complete item 5.		Specify the priority of the claim.  □Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).		
Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.				
2. Basis for Claim: (See instruction #2 on reverse side.)		□ Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier -11 U.S.C. \$507 (a)(4).  □ Contributions to an employee benefit plan -11 U.S.C. \$507 (a)(5).  □ Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use -11 U.S.C. \$507 (a)(7).  □ Taxes or penalties owed to governmental units		
3. Last four digits of any number by which creditor identifies debtor:  3a. Debtor may have scheduled account as:  (See instruction #3a on reverse side.)				
4. Secured Claim (See instruction #4 on reverse side.)  Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.				
Nature of property or right of setoff: ☐ Real Estate ☐ Motor Vehicle ☐ Other Describe:				
Value of Property: \$ Annual Interest Rate%				
Amount of arrearage and other charges as of time case filed included in secured claim,			- 11 U.S.C. §507 (a)(8).	
if any: \$ Basis for perfection:  Amount of Secured Claim: \$ Amount Unsecured: \$		U.S.C. §507 (a)().		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.				
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)		Amount entitled to priority:  \$		
DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.			*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of	
If the documents are not available, please explain:    adjustment.   Pop GOVERNATION   Pop GOVERNATION				
Date:  Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.			FOR COURT USE ONLY	

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

### INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

# Items to be completed in Proof of Claim form

### Court, Name of Debtor, and Case Number:

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

#### Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

### 1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

#### 2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

# 3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

#### 3a. Debtor May Have Scheduled Account As:

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

#### 4. Secured Claim:

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

#### 5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a):

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

#### 6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

#### 7. Documents:

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

#### Date and Signature:

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

#### DEFINITIONS

A lien may be voluntarily granted by a debtor or may A debtor is the person, corporation, or other entity be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may

be secured if the creditor owes the debtor money (has a right to setoff).

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101

that has filed a bankruptcy case.

#### Claim

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

#### Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was

# Secured Claim Under 11 U.S.C. §506(a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

#### **Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a

## Claim Entitled to Priority Under 11 U.S.C.

§507(a) Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

#### Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

# **Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or

# INFORMATION

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

#### Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.

# CERTIFICATE OF NOTICE

Page 1 of 2

Total Noticed: 40

Date Rcvd: Jan 26, 2010

User: mnoel

Form ID: ntctfclm

District/off: 0645-2

Case: 09-76874

The following entities were noticed by first class mail on Jan 28, 2010.

db +Elson James Harkema, 5492 Park Grove Road, Ann Arbor, MI 48103-9206

18221567 +Bank Of America, Po Box 17054, Wilmington, DE 19850-7054

+Bank of America, c/o Peter D. Cronk, Esq., 325 E. Grand River Avenue, Suite 250, East Lansing, MI 48823-4356 +Bank of America, N.A., 800 Saint Louis, MO 63101-2506 +Bank of America N.A., 800 Market Street, 8th Floor, M01-800-08-11, Doc Retention - Saint Louis, MO 63101-2506
+Citi, Pob 6241, Sioux Falls, SD 57117-6241
+Citi, Attn: Centralized Bankruptcy, Po Box 20507, Kansas City, MO 64195-0507
+CitiCard Mastercard, PO Box 6000, The Lakes, NV 88901-6000
Citibusiness Card, PO Box 44180, Jacksonville, FL 32231-4180
+Collection / Chase, Attn: Bankruptcy Department, Po Box 10587, Greenville, SC 29603+Countrywide Home Lending, Attention: Bankruptcy SV-314B, Po Box 5170,
Simi Valley, CA 93062-5170
+Dirk A. Beamer, Esq., Wright Penning & Beamer, 27555 Executive Drive, Ste. 165,
Farmington Hills, MI 48331-3569
+Fifth Third Bank, C/O Bankruptcy Dept, Mdropso5, 1850 East Paris,
Grand Rapids, MI 49546-6210
+Fred Grant, 215 W. Ann Arbor Road, Suite 201, Plymouth, MI 48170-2251
+Genoa Woods Banquet Center LLC, 7707 Conference Center Drive, Brighton, MI 48114-7334
+Gordon Foods, 8040 Kensington Court, Brighton, MI 48116-8520
+Harris N.A. 10 S Villa, Villa Park, IL 60181-2649
+Harris N.A. Attn: Bankruptcy Dept., 3800 Golf Road, Suite 300, Box 5038,
Rolling Meadows, IL 60008-4037
+Investor Funding, Inc., 215 W. Ann Arbor Rd., Suite 201, Plymouth, MI 48170-2251
+John C. Persons Trust, 6359 Buena Vista Ct., Rockford, MI 49341-9620
+Key Bank, PO Box 142319, Irving, TX 75014-2319
Key Bank, PO Box 142319, Irving, TX 75014-2319
Key Bank, PO Box 688907, Des Moines, IA 50368-8907
+Leepadary Events, LLC, 7707 Conference Center Drive, Brighton, MI 48114-7334
+MTI Lighting Specialists, Inc., 7627 Park Place, Suite 101, Brighton, MI 48116-8432
+Maurer's Textile Rental Services, Inc., PO Box 634128, Cincinnati, OH 45263-0001
+Mational City, Attention: Bankruptcy Department, 6750 Miller Rd,
Brecksville, OH 44141-3262
National City Card Services, PO Box 2859, Kalamazoo, MI 49003-2859
+Plunkett Cooney, 325 E. Grand River Avenue, Suite 250, East Lansing, MI 48823-4356
+PrePaid Legal Services, Inc., One Pre Paid Way, Ada, OK 74820-5813 18221568 800 Market Street, 8th Floor, M01-800-08-11, Doc Retention - GCF, 18221571 18221572 18221574 18221573 Greenville, SC 29603-0587 18221575 18221576 18269367 18221578 18221579 18221580 18221582 18221583 18221584 18221585 18221586 18221588 18221587 18221589 18221590 18221592 18221591 18221593 18221594 Helunkett Cooney, 325 E. Grand River Avenue, Suite 250, East Lansing, MI 488 + PrePaid Legal Services, Inc., One Pre Paid Way, Ada, OK 74820-5813 + Quality Air Heating & Cooling, 3395 Kraft AVE SE, Grand Rapids, MI 49512-2029 + Royal Food, 4076 Crooks Street, West Bloomfield, MI 48323-1222 18221595 18221596 18221597 18221598 +Royal Food, 4076 Crooks Street, West Bloomfield, MI 48323-1222
+Staples Credit Plan, PO Box 689020, Des Moines, IA 50368-9020
+Sysco Detroit, 41600 Van Borne Road, Canton, MI 48188-2746
++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: Us Bank/na Nd, 4325 17th Ave S, Fargo, Newdding Pages, Inc., 11106 Mockingbird Drive, Omaha, NE 68137-2331
+Wickens Management, Suite 102, 2510 Kerry Street, Lansing, MI 489 18221599 18221600 18221601 Fargo, ND 58125) 18221602 18221603 Lansing, MI 48912-3687 Po Box 17054, Bank of America, N.A., 800 Market Street, 8th Floor, Saint Louis, MO 63101-2506 Cap One, Attn: C/O TSYS Debt Management, Chase, Bank One Card Serv, Westervill Citi, Attn: Centralized Bankruptcy, Westerville, OH 43081 18221572 +EDI: CITICORP.COM Jan 26 2010 18:03:00 Po Box 20507, Kansas City, MO 64195-0507 +EDI: CITICORP.COM Jan 26 2010 18:03:00 Citi, Pob 6241, Sioux Falls, SD 57117-6241 +EDI: BANKAMER.COM Jan 26 2010 18:03:00 Fia Csna, Po Box 26012, Nc4-105-02-77, 18221571 Greensboro, NC 27420-6012 18379726 EDI: RECOVERYCORP.COM Jan 26 2010 18:03:00 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605 EDI: USBANKARS.COM Jan 26 2010 18:03:00 Us Bank/na 1 FL 33131-1605 Us Bank/na Nd, 4325 17th Ave S, Fargo, TOTAL: 9 18221601 Fargo, ND 58125 \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\* +Genoa Woods Banquet Center, LLC, 7707 Conference Center Drive, Brighton, MI 48114-7334 18221581\* TOTALS: 0, \* 1 Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0645-2 User: mnoel Case: 09-76874 Form ID: ntctfclm

Page 2 of 2 Total Noticed: 40

Date Rcvd: Jan 26, 2010

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 28, 2010

09-76874-wsd Doc 23 Filed 01/28/10 Entered 01/29/10 01:17:52 Page 6 of 6

Joseph Speetjins